MEETING RECORD

NAME OF GROUP:	City Board of Zoning Appeals	
DATE, TIME AND PLACE OF MEETING:	Friday, January 27, 2006, 1:30 p.m., Hearing Chambers, County-City Building, 555 South 10th Street, Lincoln, Nebraska	
MEMBERS AND OTHERS IN ATTENDANCE:	**Members:**	Gene Carroll, George Hancock, Gerry Krieser, Bob Kuzelka and Tom Wanser.
	Others:	Terry Kathe (Building & Safety); Brian Will and Michele Abendroth (Planning Dept.); Tonya Skinner (Law Department); applicants and other interested parties.
STATED PURPOSE OF THE MEETING:	Regular Meeting of the City Board of Zoning Appeals	

Chair Gene Carroll called the meeting to order at 1:30 p.m.

Approval of the minutes of the December 16, 2005 meeting

Krieser moved approval of the December 16, 2005 meeting minutes, seconded by Kuzelka. Motion carried 5-0. Carroll, Hancock, Krieser, Kuzelka and Wanser voting 'yes'.

Appeal No. 06001 by Michael Mayne for an exception to reduce the required parking on property generally located at 401 NW 56th Street.

ACTION **January 27, 2006**

Michael Mayne, representing Nebraska Machinery Company, stating that they are building a 42,380 square foot truck repair facility at the northwest corner of NW 56th and O Streets. The property is zoned H4 which means they must provide 1 parking stall for every 300 square foot of the building. However, they do not need that many stalls based on the amount of employees and customer parking. They would like an exception to provide 59 stalls for parking.

Carroll asked Mayne if they agree that they would need to go the same process again if the site plan or use changes. Mayne agreed that they would and stated that this is just an exception for the building as it is being designed for the current use.

Carroll asked if there was further testimony in favor of or against this appeal. With no one appearing, Carroll proceeded with the Executive Session.

ACTION **January 27, 2006**

Hancock asked specifically what Lot 23 encompasses. Will stated that it is approximately 30 acres north of West O Street and west of NW 56th Street.

Kuzelka asked whether or not it would be considered a change of use if they were to develop the south side of the lot. Will stated that if there was an addition to the south, it would be considered another use. Will noted that they are asking for a specific exception for a specific use. He stated that the Board has the

authority to grant such an exception, but suggested that they place limitations on it to be clear that if they expand or the use changes, they will need to provide additional parking to accommodate that.

Wanser asked how the parking requirements would be enforced if the use changes. Skinner replied that if they expand their facility, they would need to apply for a new building permit, and staff could enforce new parking requirements at that time. She stated that the Board needs to weigh if the appeal is for convenience or if the parking stalls are unnecessary for this use.

Hancock asked staff if they are comfortable with having 59 stalls. Kathe stated that if nothing changes or a similar company comes in, then it would be okay. If the use changes so that the employee parking ratio changes, possibly the only way they may know about it is through a complaint.

Wanser moved approval of the exception. Due to the use of the building, it is unnecessary to provide the full provisions of parking facilities as required by the Lincoln Municipal Code. Approving the exception is not for the convenience of the petitioner but due to the varying demands of off-street parking. The exception is restricted to this use and to this applicant only. Hancock seconded the motion. Motion carried 5-0. Carroll, Hancock, Krieser, Kuzelka and Wanser voting 'yes'.

Proposed Amendment to Lincoln Municipal Code Chapter 27.75 - Board of Zoning Appeals.

Will advised the Board that they are in the initial stages of proposing revisions to the zoning ordinance pertaining to the Board of Zoning Appeals. They are drafting an amendment to change the language so that the Board has more latitude in granting exceptions. A draft will be brought to the Board at a later date.

The meeting was adjourned at 1:52 p.m.

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